

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN J. MAUL,	)	
	)	No. CV-10-332-JPH
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
v.	)	MOTION FOR REMAND
	)	
MICHAEL J. ASTRUE,	)	(ECF No. 18)
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings (**ECF No. 18**) pursuant to sentence four. Maureen J. Rosette represents plaintiff. Special Assistant United States Attorney Mathew W. Pile represents defendant. The parties have consented to proceed before a magistrate judge (ECF No. 7).

After considering the stipulated motion (ECF No. 18), **IT IS ORDERED** that the **motion is GRANTED. The case is REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including:

1. The ALJ will reassess the opinions of A. Peter Weir, M.D., and Mahlon Dalley, Ph.D.

2. The ALJ will reassess plaintiff's mental impairments in accordance with the special technique at 20 C.F.R. §§ 404.1520a and 416.920a.

1 3. The ALJ will reassess plaintiff's credibility and residual  
2 functional capacity.

3 4. The ALJ will obtain evidence from a vocational expert if  
4 necessary.

5 Because this remand is pursuant to sentence four with a  
6 remand to the Commissioner for further proceedings (*see Melkonyan*  
7 *v. Sullivan*, 501 U.S. 89 (1991)), plaintiff is entitled to  
8 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412  
9 (a), (d), upon proper request to this Court.

10 IT IS FURTHER ORDERED:

11 1. The parties' stipulated motion for an order of remand  
12 pursuant to sentence four (ECF No. 18) is **GRANTED**.

13 2. Judgment shall be entered for **PLAINTIFF**.

14 3. An application for attorney fees and costs may be filed by  
15 separate motion.

16 4. The District Court Executive is directed to enter this  
17 Order, enter judgment for plaintiff, forward copies to counsel,  
18 and **CLOSE** the file.

19 **IT IS SO ORDERED.**

20 **DATED** this 23rd day of August, 2011.

21  
22 s/James P. Hutton  
23 JAMES P. HUTTON  
24 UNITED STATES MAGISTRATE JUDGE  
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